

E-FILED 7/16/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MOHAMED FODA, M.D., et al.,

NO. C 08-80130 MISC. RMW (RS)

Applicants,

**ORDER GRANTING
APPLICATION FOR ISSUANCE
OF SUBPOENA UNDER 28 U.S.C.
§ 1782**

v.

RATEMDS, Inc.,

Respondent.

Before the Court is the application of Mohamed Foda, M.D., for an order under 28 U.S.C. § 1782 permitting him to serve a subpoena to discover the identity of the person or persons who posted comments about him and his medical practice on RateMDs.com, in connection with litigation now pending before the Provincial Court in Edmonton, Alberta, Canada. Good cause appearing, it is hereby ordered that:

(1) Foda may serve a subpoena in substantially the same form as attached as Exhibit A to its application. The subpoena shall specify the date for production of documents not less than 45 days after service.

(2) A copy of this order shall be served with the subpoena.

(3) This order is without prejudice to the rights of any person to seek a protective order, or to quash or modify the subpoena under Rule 45 of the Federal Rules of Civil Procedure. Any motion seeking such relief shall be filed under this case number, and shall be noticed for hearing before the undersigned in conformance with the Civil Local Rules.

IT IS SO ORDERED.

Dated: July 16, 2008



RICHARD SEEBORG
United States Magistrate Judge

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:**

2 Marc Alan Karlin karlinlaw@msn.com

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4 Counsel are responsible for distributing copies of this document to co-counsel who have not
5 registered for e-filing under the Court's CM/ECF program.

6 **Dated: 7/16/08**

Richard W. Wieking, Clerk

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8 **By: Chambers**

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United States District Court
For the Northern District of California

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